United States District Court Northern District of New York

JUDGMENT IN A CIVIL CASE

Plaintiff

VS.

6:05-CV-1297 (NAM)

COMMISSIONER OF SOCIAL SECURITY

Defendant

[X] **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the decision denying disability benefits be REVERSED, and this matter be REMANDED to the Commissioner, pursuant to sentence four of 42 USC section 405(g) for further proceedings.

All of the above pursuant to the Order of the Honorable Chief Judge Norman A. Mordue dated the 30th day of September, 2008.

SEPTEMBER 30, 2008	LAWRENCE K. BAERMAN
DATE	Clerk of Court
	s/
	Joanne Bleskoski Deputy Clerk